IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.2206 OF 2005

Shri Shivkumar Singh .... Petitioner
Vs.
Education Officer (Primary),
Zilla Parishad, Thane & Ors. .... Respondents

Shri M.S. Lagu, Advocate, for the Petitioner.

Shri S.P. Thorat, Advocate, for the Respondent No.1.

Shri Dilip Bodake, Advocate, for the Respondent No.4.

None present for the Respondent Nos.2 & 3, though served.

CORAM: R.M.S. KHANDEPARKAR &
NARESH H. PATIL, JJ.

DATED: AUGUST 16, 2006

P.C:

1. Heard. The matter relates to the point of seniority and the grievance of the petitioner is that the authorities while fixing the seniority, failed to take note of the fact that the respondent No.4 had not passed the 12th standard examination in accordance with the procedure as was required for the purpose of completion of the said course, in the sense that after passing the S.S.C. examination in the year 1972, he had claimed to have passed the 12th standard examination in the year 1973. The contention is sought to be raised on the basis that the 12th standard examination consisted of two years' course after passing of the said S.S.C.

examination. In fact, it is nowhere stated in the petition that the S.S.C. examination course at the relevant time in the year 1972 comprised of 10 years and not of 11 years as it used to be at the relevant time. To the specific query in that regard with the learned Advocate for the petitioner, no satisfactory explanation is forthcoming. A judicial notice of the fact can be taken that the educational system in the form of 10+2+3 started sometime in the second half of the eighth decade of the last century and prior to that the system was 11+4, i.e. the S.S.C. examination course of 11 years starting from 1st to 11th standard and thereafter the graduation course of four years. It was subsequently changed in the second half of the eighth decade of last century as to the S.S.C. course being comprising of 10 years from 1st to 10th standard and thereafter the two years' junior college course comprising of 11th and 12th standard followed by the graduation course of three years. The entire basis for challenge to the seniority of the respondent No.4 being based on the misconception about the understanding of the course relating to the S.S.C. examination, there is absolutely no substance in the grievance of the petitioner and hence the petition is rejected.

(Naresh H. Patil, J.) (R.M.S.Khandeparkar, J.)

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